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Attorney's Docket No. 46963

DIKE, BRONSTEIN, ROBERTS & CUSHMAN, LLP
130 Water Street
Boston, Massachusetts 02109

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DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that: My residence, post office address and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed at 201) below or an original, first and joint inventor (if plural names are listed at 201-208 below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

METHODS FOR REGULATING ANGIOGENESIS

which is described and claimed in:

- ☐ the specification attached hereto.
- ☒ the specification in U.S. Application Serial Number 08/744,882, filed on November 8, 1996.
- ☐ the specification in PCT international application Number _____, filed on _____; and was amended on _____.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a). I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

Prior Foreign/PCT Applications and Any Priority Claims Under 35 U.S.C. 119:			
Application No.	Filing Date	Country	Priority Claimed Under 35 U.S.C. 119?
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO

I hereby claim the benefit under 35 U.S.C. §120 of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below, and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of 35 U.S.C. §112, I acknowledge the duty to disclose material information as defined in 37 CFR §1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application:

Prior U.S. Applications or PCT International Applications Designating the U.S-Benefit Under 35 U.S.C. §120				
U.S. Applications		Status (Check One)		
Application Serial No.	U.S. Filing Date	Patented	Pending	Abandoned
PCT Applications Designating the U.S.				
Application No.	Filing Date	U.S. Serial No. Assigned		

CLAIM FOR BENEFIT OF PRIOR U.S. PROVISIONAL APPLICATION(S)
(35 U.S.C. § 119(e))

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below:

Applicant	Provisional Application Number	Filing Date

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) with full powers of association, substitution and revocation to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

~~Sewall P. Bronstein (Reg. No. 16,919)~~
~~David G. Conlin (Reg. No. 27,026)~~
~~George W. Neuner (Reg. No. 26,964)~~
~~Ernest V. Linek (Reg. No. 29,822)~~

~~Linda M. Buckley (Reg. No. 34,003)~~
~~Ronald I. Eisenstein (Reg. No. 30,628)~~
~~Henry D. Pahl, Jr. (Reg. No. 20,438)~~
~~Peter J. Manus (Reg. No. 26,766)~~

~~David S. Resnick (Reg. No. 34,235)~~
~~Peter F. Corless (Reg. No. 33,860)~~

SEND CORRESPONDENCE TO: David G. Conlin <u>Dike, Bronstein, Roberts & Cushman, LLP</u> 130 Water Street Boston, Massachusetts 02109	DIRECT TELEPHONE CALLS TO: David S. Resnick (617) 523-3400
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2 0 1	FULL NAME OF INVENTOR <u>1-00</u>	LAST NAME <u>Isner</u>	FIRST NAME <u>Jeffrey</u>	MIDDLE NAME <u>M.</u>
	RESIDENCE & CITIZENSHIP	CITY <u>Weston</u> <u>MA</u>	STATE OR FOREIGN COUNTRY <u>Massachusetts</u>	COUNTRY OF CITIZENSHIP <u>U.S.A.</u>
	POST OFFICE ADDRESS	POST OFFICE ADDRESS <u>34 Brenton Road</u>	CITY <u>Weston</u>	STATE OR COUNTRY AND ZIP CODE <u>Massachusetts 02193</u>

2 0 2	FULL NAME OF INVENTOR <u>2-00</u>	LAST NAME <u>Asahara</u>	FIRST NAME <u>Takayuki</u>	MIDDLE NAME
	RESIDENCE & CITIZENSHIP	CITY <u>Arlington</u> <u>MA</u>	STATE OR FOREIGN COUNTRY <u>Massachusetts</u>	COUNTRY OF CITIZENSHIP <u>Japan</u>
	POST OFFICE ADDRESS	POST OFFICE ADDRESS <u>38 Hayes Street</u>	CITY <u>Arlington</u>	STATE OR COUNTRY AND ZIP CODE <u>Massachusetts 02174</u>

2 0 3	FULL NAME OF INVENTOR	LAST NAME	FIRST NAME	MIDDLE NAME
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	POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE OR COUNTRY AND ZIP CODE

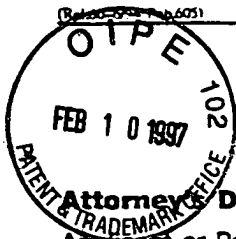
2 0 4	FULL NAME OF INVENTOR	LAST NAME	FIRST NAME	MIDDLE NAME
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
	POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE OR COUNTRY AND ZIP CODE

2 0 5	FULL NAME OF INVENTOR	LAST NAME	FIRST NAME	MIDDLE NAME
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
	POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE OR COUNTRY AND ZIP CODE

2 0 6	FULL NAME OF INVENTOR	LAST NAME	FIRST NAME	MIDDLE NAME
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
	POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE OR COUNTRY AND ZIP CODE

I hereby further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Signature of Inventor 201 <i>Jeffrey Sam MA</i>	Signature of Inventor 202 <i>Takayuki Asahara</i>
Date: <i>12/20/96</i>	Date: <i>12/20/96</i>
Signature of Inventor 203	Signature of Inventor 204
Date:	Date:
Signature of Inventor 205	Signature of Inventor 206
Date:	Date:
Signature of Inventor 207	Signature of Inventor 208
Date:	Date:



#3

Attorney's Docket No. 46963 **PATENT**Applicant or Patentee: Jeffrey M. Isner and Takayuki AsaharaSerial or Patent No.: 08 / 744,882Filed or Issued: November 8, 1996For: METHODS FOR REGULATING ANGIOGENESIS**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS (37 CFR 1.9 (f) and 1.27(d))—NONPROFIT ORGANIZATION**

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF ORGANIZATION St. Elizabeth's Medical Center of Boston, Inc.ADDRESS OF ORGANIZATION 736 Cambridge StreetBoston, MA 02135**TYPE OF ORGANIZATION**

- ☐ UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION
- ☒ TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501 (a) and 501 (c)(3))
- ☐ NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA
(NAME OF STATE _____)
(CITATION OF STATUTE _____)
- ☐ WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501 (a) and 501 (c)(3)) IF LOCATED IN THE UNITED STATES OF AMERICA
- ☐ WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA
(NAME OF STATE _____)
(CITATION OF STATUTE _____)

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code with regard to the invention entitled
METHODS FOR REGULATING ANGIOGENESIS

by inventor(s) Jeffrey M. Isner and Takayuki Asahara

described in

- ☐ the specification filed herewith.
- ☒ application serial no. 08 / 744,882, filed November 8, 1996.
- ☐ patent no. _____, issued _____.

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above identified invention.

If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention (Small Entity—Non-Profit [7-3]—page 1 of 2)

are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27).

NAME _____

ADDRESS _____

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

NAME _____

ADDRESS _____

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING John Fitzgerald

TITLE IN ORGANIZATION Vice President, Finance

ADDRESS OF PERSON SIGNING 736 Cambridge Street

Boston, MA 02135

SIGNATURE

John R. Fitzgerald
John Fitzgerald
Vice-President, Finance

Date

1/7/97

(Small Entity—Non-Profit [7-3]—page 2 of 2)